

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TINA EASLEY and CAROLINE
EASLEY,

Plaintiffs,

vs.

WORLDWIDE RECOVERIES, LLC

and

DANIEL SCHIELE a.k.a. DAN

DURBIN,

a.k.a. DAN DURBINSCHIELE

and

CHRIS MEYERS

and

JOHN DOES 1-10,

Defendants.

CIVIL ACTION NO. 10-CV-3922(TON)

PRAECIPE FOR WRIT OF EXECUTION

TO THE CLERK:

ISSUE WRIT OF EXECUTION in the above matter, directed to the United States Marshal for the Eastern District of Pennsylvania, and against Defendant Worldwide Recoveries, LLC and against Garnishee **Bank of America, Four Penn Center, 1600 JFK Boulevard, Philadelphia, PA 19103**

(Name and Address of Garnishee)

and index this writ against * _____

_____ and against _____, as Garnishee, as

a lis pendens against real property of the judgment debtor in the name of the Garnishee, as follows:

Amount Due:	\$19,985.13
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Interest from 1/24/11 – 3/2/11	\$ 125.55
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LUNDY, FLITTER, BELDECOS & BERGER, P.C.

By:


ANDREW M. MILZ, ESQUIRE

Attorney for Plaintiffs

450 N. Narberth Ave., Narberth, PA 19072

(610) 822-0781

Date:

3/3/11

- Applicable to real estate only (Rule 3104©Pa. R.C.P.)

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WRIT OF EXECUTION

TO THE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF
PENNSYLVANIA:

To satisfy the judgment, interest and costs against Defendant Worldwide Recoveries, LLC;

- (1) You are directed to levy upon the property of Worldwide Recoveries, LLC and to sell its interest therein:
- (2) You are also directed to attach the property of Worldwide Recoveries, LLC not levied upon in the possession of:

**Bank of America
Four Penn Center
1600 JFK Boulevard
Philadelphia, PA 19103**

as Garnishee per the following property description: **All accounts titled to Worldwide Recoveries, LLC, including but not limited to account # 2771844154** and to notify the Garnishee that

- (a) an attachment has been issued;
- (b) The Garnishee is enjoined from paying out any debt to or for the account of the Defendant and from delivering any property of the Defendant or otherwise disposing thereof.

- (3) If property of Worldwide Recoveries, LLC not levied upon and subject to attachment is found in the possession of anyone other than the named Garnishee(s), you are directed to notify them that they have been added as a Garnishee and are enjoined as above stated.

Amount Due:	\$19,985.13
Interest from 1/24/11 – 3/2/11	\$ 125.55
(Costs to be added)	\$_____

MICHAEL E. KUNZ
Clerk of Court

BY: _____
(Deputy Clerk)

Seal of the Court:

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

1. \$300.00 STATUTORY EXEMPTION.
2. BIBLES, SCHOOL BOOKS, SEWING MACHINES, UNIFORMS, AND EQUIPMENT.
3. MOST WAGES AND UNEMPLOYMENT COMPENSATION.
4. SOCIAL SECURITY BENEFITS.
5. CERTAIN RETIREMENT FUNDS AND ACCOUNTS.
6. CERTAIN VETERAN AND ARMED FORCES BENEFITS.
7. CERTAIN INSURANCE PROCEEDS.
8. SUCH OTHER EXEMPTIONS AS MAY BE PROVIDED BY LAW.

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WRIT OF EXECUTION NOTICE

THIS PAPER IS A WRIT OF EXECUTION. IT HAS BEEN ISSUED BECAUSE THERE IS A JUDGMENT AGAINST YOU. IT MAY CAUSE YOUR PROPERTY TO BE HELD OR TAKEN TO PAY THE JUDGMENT. YOU MAY HAVE LEGAL RIGHTS TO PREVENT YOUR PROPERTY FROM BEING TAKEN. A LAWYER CAN ADVISE YOU MORE SPECIFICALLY ON THESE RIGHTS. IF YOU WISH TO EXERCISE YOUR RIGHTS, YOU MUST ACT PROMPTLY.

THE LAW PROVIDES THAT CERTAIN PROPERTY CANNOT BE TAKEN. SUCH PROPERTY IS SAID TO BE EXEMPT. THERE IS A DEBTOR'S EXEMPTION OF \$300.00. THERE ARE OTHER EXEMPTIONS WHICH MAY BE APPLICABLE TO YOU. ATTACHED IS A SUMMARY OF SOME OF MAJOR EXEMPTIONS. YOU MAY HAVE OTHER EXEMPTIONS OR OTHER RIGHTS.

IF YOU HAVE AN EXEMPTION, YOU SHOULD FIRST DO THE FOLLOWING PROMPTLY: (1) FILL OUT THE ATTACHED CLAIM FORM AND DEMAND FOR A PROMPT HEARING. (2) DELIVER THE FORM OR MAIL IT TO THE UNITED STATES MARSHAL'S OFFICE AT THE ADDRESS NOTED.

YOU SHOULD COME TO THE COURT READY TO EXPLAIN YOUR EXEMPTION. IF YOU DO NOT COME TO THE COURT AND PROVE YOUR EXEMPTION, YOU MAY LOSE SOME OF YOUR PROPERTY.

YOU SHOULD TAKE THIS PAPER TO A LAWYER AT ONCE. IF YOU DO NOT
HAVE A LAWYER GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT
WHERE YOU CAN GET LEGAL HELP.

LAWYER REFERRAL AND INFORMATION SERVICE

1101 Market Street
11th Floor
Philadelphia, PA 19107-2911
(215) 238-2911

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CIVIL ACTION NO. 10-CV-3922(TON)

CLAIM FOR EXEMPTION

To THE U.S. MARSHAL:

I, the above named Worldwide Recoveries claim exemption of property from levy or attachment:

1. From my personal property in my possession which has been levied upon:

a. I desire that our \$300 statutory exemption be:

☐ (I) set aside in kind (specify property to be set aside in kind)

☐ (II) paid in cash following the sale of personal property levied upon;

b. I claim the following exemption (specify property and basis for exemption):

2. From my property which is in the possession of a third party, I claim the following exemptions:

a. My \$300 statutory exemption: [in cash] in kind (specify property):

b. Social Security benefits and deposit in the amount of \$ _____:

c. Other (specify amount and basis of exemption):

I request a prompt court hearing to determine the exemption. Notice of the hearing should be given to me at (address) _____ (telephone) _____.

I declare under penalty of perjury that the foregoing statements made in this claim for exemption are true and correct.

Date: _____

Worldwide Recoveries, LLC

THIS CLAIM TO BE FILED WITH THE OFFICE OF THE U.S. MARSHAL FOR THE EASTERN DISTRICT OF PENNSYLVANIA:

2110 United States Courthouse
601 Market Street
Philadelphia, Pennsylvania 19106
(215) 597-7272

NOTE: Under paragraphs (1) and (2) of the writ, a description of specific property to be levied upon or attached may be set forth in the writ or included in a separate direction to the United States marshal.

Under Paragraph (2) of the writ, if the attachment of a named Garnishee is desired, his name should be set forth in the space provided.

Under Paragraph 3 of the writ, the United States Marshall may, as under prior practice, add as a Garnishee any persona not named in this writ who may be found in possession of property of the Defendant. See Rule 3111(a). For limitations on the power to attach tangible personal property, see Rule 3108(a).

b. Each court shall by local rule designate the officer, organization or person to be named in the notice.

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INTERROGATORIES TO GARNISHEE

TO: Bank of America
Four Penn Center
1600 JFK Boulevard
Philadelphia, PA 19103

You are required to file answers to the following interrogatories within twenty (20) days after service upon you. Failure to do so may result in judgment against you:

1. At the time you were served or at any subsequent time did you owe Worldwide Recoveries, LLC ("Defendant") any money or were you liable to Worldwide Recoveries, LLC on any negotiable or other written instrument, or did Worldwide Recoveries, LLC claim that you owed them any money or were liable to Worldwide Recoveries, LLC for any reasons?
2. At the time you were served or at any subsequent time was there in your possession, custody or control or in the joint possession, custody or control or in the joint possession, custody or control of yourself and one or more other persons any property of any nature owned solely or in part by Worldwide Recoveries, LLC?

3. At the time you were served or at any subsequent time did you hold legal title to any property of any nature owned solely or in part by Worldwide Recoveries, LLC or in which Worldwide Recoveries, LLC held or claimed any interest?
4. At the time you were served or at any subsequent time did you hold as fiduciary any property in which Worldwide Recoveries, LLC had an interest?
5. At any time before or after you were served did Worldwide Recoveries, LLC transfer or deliver any property to you or to any person or place pursuant to your direction or consent and if so, what was the consideration thereof?
6. At any time after you were served did you pay, transfer or deliver any money or property to Worldwide Recoveries, LLC or to any person or place pursuant to Worldwide Recoveries, LLC's direction or otherwise discharge any claim of Worldwide Recoveries, LLC against you?
7. If you are a bank or other financial institution, at the time you were served or at any subsequent time did Worldwide Recoveries, LLC have funds on deposit in any account in which funds are deposited electronically on a recurring basis and which are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law? If so, identify each account and state the reason for the exemption, the amount being withheld under each exemption and the entity electronically depositing those funds on a recurring basis.
8. If you are a bank or other financial institution, at the time you were served or at any subsequent time did Worldwide Recoveries, LLC have funds on deposit in an account in which the funds on deposit, not including any otherwise exempt funds, did not exceed the

amount of the general monetary exemption under 42 Pa. C.S. § 8123? If so, identify each account.

9. If your answer to any of the above questions is "yes" set forth the nature of the property, the amount, how held, and the location of same.

LUNDY, FLITTER, BELDECOS & BERGER, P.C.

By: _____

ANDREW M. MILZ, ESQUIRE
Attorney for Plaintiffs

Dated: _____

3/3/11